

TEXAS SENATE STAFF SERVICES
JGH:rjm/336/FLSB14012611CD1SII/031912
82ND LEGISLATIVE SESSION
EXCERPT: SENATE BILL 14
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adoption of Floor Amendment Number 21.

FRASER : (Inaudible, background conversation)
: Members, the, a--again, I just, just haven't seen this amendment. This really falls under the same category of the discussion I had with Senator Ellis, is that this puts a huge burden on the, the election administrator of identifying, you know, i--is this identification correct, and also, it doesn't clarify that if the, the ID would have a, the persons ad--address on this, and this, this would be--put an undue burden on the, the election official. I would now move to table Amendment 21.

PRESIDENT : The Chair recognizes Senator Davis to close.

DAVIS : Thank you, Mr. President. I would simply argue that the photo IDs that are issued by agency or institutions of our federal government of agencies, institutions or political subdivisions of Texas, or institutions of higher education in Texas, are trustworthy photo IDs and should be allowable for purposes of voting. I would respectfully ask a vote of no on the motion to table Floor Amendment Number 21.

PRESIDENT : Thank you, Senator Davis. The issue before us is the motion to table by Senator Fraser. Senator Davis opposes. The Secretary will, will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

: (Gavel)
: (It's really not that) (inaudible, background conversation)--

PRESIDENT : There being 19 ayes and 11 nays, the motion to table prevails. The following floor amendment, Floor Amendment Number 22 by Senator Lucio. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 22 by Lucio, is Page 19 in the packet.

PRESIDENT : The Chair recognizes Senator Lucio to explain Floor Amendment 22.

LUCIO : Thank you, Mr. President. Members, under Senate Bill 14, all forms of photo identification must be current. I certainly understand the rationale for that, but my concern is for those who happen to have birthdates that fall around election time and don't have a chance to update their license by voting day. It would be a shame to turn anyone away from their right to vote simply because they haven't had a chance to renew an ID or driver's license. Further, many seniors use expired drivers license as forms of ID but do not keep them current because they no longer drive. This amendment would do two things. Number one, allow a 60-

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day window on expired IDs, and number two, allow senior citizens over the age of 65 the use of an expired ID indefinitely for the purpose of voting. Move adoption.

PRESIDENT : Thank you, Senator Lucio. The Chair recognizes Senator Fraser, the bill sponsor.

FRASER : Members, this amendment, if you're, you're reading it, the first three sections of this bill is the bill I've been referencing several times of, Senator Lucio, that, ther--the next amendment, if you look at Amendment Number 19 that's behind it, is this same bill with the last two sections struck. The next amendment I do plan to accept. This particular amendment, because they've added Section 4 and Section 5, is not acceptable. Basically, what we're saying is that anybody that's over 65, as soon as they (sic) license expires, they could use that the rest of their life, even though the potential are's (sic), that their, the picture on the, the license would not identify them well at all. Also, anyone over 65, as you know, there, they still can vote by mail. So, I would, I'm intending to take the next amendment, this particular amendment I would now move to table Amendment Number 22.

PRESIDENT : The Chair recognizes Senator Lucio to close.

LUCIO : Mr. President, Members an--Governor Dewhurst appointed me to Chair a committee, an Interim Committee on Aging. I was privileged to, to Chair that Committee. And, I was happy, very pleased to, to work with Senator Huffman in that Committee, Elliott Naishtat, Representative Naishtat, and Representative King, along with some seniors. Now, we spent, some of us spent, all the interim, you know, quite frankly, studying issues in our state dealing with our aging population. We heard over and over about the difficulty of accessing services in our state by these seniors. I, you know, thi--this amendment really is, is for them and, and I certainly would appreciate it if you would vote with me in voting no on the motion to table. Thank you, Mr. President.

: (Inaudible, background conversation)

LUCIO : Thank you, Members.

PRESIDENT : Thank you, Senator Lucio. The issue before us is the motion to table by Senator Fraser, opposed by Senator Lucio. The Secretary wil--will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth.

: (Gavel)

SECRETARY : West. Whitmire. Williams.

PRESIDENT : There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following Floor Amendment Number 23 by Senator Lucio. The Secretary will read the

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amendment.

SECRETARY : Floor Amendment Number 23 by
Lucio. It's Page 20 in your packet.

PRESIDENT : The Chair recognizes Senator Lucio to
explain Floor Amendment 23.

LUCIO : Thank you, Mr. President. It's similar
to the amendment that I just explained so I won't go into it in detail. But,
this amendment simply allows a 60-day window on expires (sic) IDs so that
those citizens in our state that have a birthday close to election time may not
be penalized and have the right to vote.

: (Inaudible, background conversation)
LUCIO : I think it's acceptable to the author, I
heard him say that just moments ago.

PRESIDENT : The Chair recognizes Senator Fraser
on Floor Amendment Number 23.

FRASER : Members, this is the amendment
we've referenced several times. I think the argument is very valid that if
someone, a driver's license expires, they didn't realize it before they're going
to vote, that we would give 'em a 60-day window so that if the driver's license
had been valid but had not expired earlier than 60 days before the
(presendation) (sic) to be used, we think that is a, would be a, considered a--

LUCIO : Thank you, Senator.

FRASER : --valid license. It is acceptable to the
author.

PRESIDENT : Members, the issue before us is the
adoption of Floor Amendment Number 23 by Senator Lucio, which is
supported by Senator Fraser. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell.
Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa.

PRESIDENT : (Gavel) There being 30 ayes and no
nays, Floor Amendment Number 23 is adopted. The, the Chair lays out the
following, Floor Amendment Number 24 by Senator Hinojosa. The Secretary
will read the amendment.

SECRETARY : Floor Amendment Number 24 by
Hinojosa. Page 21 in your packet.

: (Inaudible, background conversation)

PRESIDENT : The Chair recognizes Senator
Hinojosa to explain Floor Amendment 24.

HINOJOSA : Thank you, Mr. President and
Members. This amendment is pretty simple, straightforward. It would allow
the county commissioners court to authorize the county elections
administrator, or county clerk, to issue a voter registration with a photo ID.
With the technology we now, we have now days, it would be easy to do. And
it would be permissive, not mandatory, and it would allow the counties to, on
their own, to be able to merge a voter registration card with a photo.

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PRESIDENT : The Chair recognizes Senator Fraser
on Floor Amendment 24.

FRASER : Members, this is one we actually spent
a lot of time looking at, tryin' to make sure we understood the, the potential
impact. If a county decided to exercise this, all the burden of the expense
would go on them, and so, it's highly unlikely that they would do this, or they
would be seeing this as a, a, a, a nonfunded imp--or implied mandate. We
think that the, the option that we have offered is a free card that comes from
DPS, will be a superior option. And, I, I will now move to table Amendment
Number 24.

PRESIDENT : The Chair recognizes Senator
Hinojosa on Floor Amendment 24.

HINOJOSA : Yeah, Senator Fraser, I just do not
understand why you, you all would not give the discretion to a county to be
able to implement a voter registration system where they could take the
picture of the voter. If the, if our objective is to make sure that we eliminate
voter fraud, what is more secure than to allow a county to take a picture of
the person who is being issued a voter registration card and be merged with a
card itself. The technology's available, it's permissible, and the expense
would be minimal. And I'm somewhat taken aback that, that you will not
allow the discretion and those decisions be made by the local counties. At
some point, we're gonna have to improve our system, where other countries
are ahea--ar--are ahead of us, in that sense, that they have voter registration
cards with the pictures on 'em and, certainly, we can do the same, where
we're (sic) much, much more advance technology than they do.

PRESIDENT : Members, the issue before us is the, is
a motion to table by Senator Fraser, opposed by the, by the author of the
amendment, Senator Hinojosa. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell.
Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa.
Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez.

: (Gavel)

SECRETARY : Seliger. Shapiro.

PRESIDENT : There being 19 ayes and 11 nays, the
motion to table prevails. (Gavel) The Chair lays out the following floor
amendment, Floor Amendment Number 25 by Senator Gallegos. The
Secretary will read the amendment.

SECRETARY : Floor Amendment Number 25 by
Gallegos.

: (Inaudible, background conversation)

SECRETARY : It's Page 22 in your packet.

: All right, this, this is a good one here,
probably only cost about a hundred million dollars.

PRESIDENT : I'm gonna go 'head and recognize
Senator Gallegos as this is being passed out. The Chair recognizes Senator

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Gallegos to explain Floor Amendment 25.

GALLEGOS : Thank you, Mr. Chairman. Mr. President, Members, this amendment, Members, requires at least one DPS office, if you've got, if everybody's got their map of Houston that's being passed out, that processes drivers license and personal ID cards be established for every 15 voting precincts in the area. Members, there's a, almost, there's over 900 precincts in Harris County, and almost 800 of those are inside the city. And, what this does, this would not close down any existing offices but, as you see, inside the 610 Loop, on the map that I have passed out, there, there, there's none. Zero DPS centers in that area. And, I, Members, mo--mobility and personal transportation tend to be directly related to, really, personal wealth and citizens that ta--o--of, of Texas in my district are below that, and are less likely to have a vehicle, and are less likely to have a driver's license. And, studies have shown the minorities are most likely to be without transportation and as a result, this bill imposes additional economic burdens in the form of transportation costs on the class of Texans that is, tha--at the worst position to deal with such cost. Now, if this bill mandates every Texan to have a photo ID then we should at least have access, especially in Houston, and, I didn't pass out Dallas, but Dallas is almost similar. Dallas only has one, Senator West.

: (Yeah.)

GALLEGOS : Fort Worth, Senator Davis, d--d--has none inside, and in, and in, for the, for those from San Antonio, you only have two and those are at the edge of the outlying areas. So, I mean, this is, this is, I mean, seeing is believing and you see the map of Houston, Texas, here. There's no DPS centers inside 610. Those of you who, that have travelled to Houston, that know Houston, inside the 610 is huge. I just, I just pointed out there's almost 800 precincts in this area. And no DPS centers in this area. If we're gonna mandate to Texans that they must have a photo ID, then we, we deserve to, to pre--provide them with access, whether it be Houston, Dallas, Fort Worth, San Antonio, or anywhere. Senator Uresti's area, those area, we must provide them with access. And, at least on a bus route where they can at least pay a bus to get to that location. Not a single one in Houston, Texas, Members, is the map that I'm showing you in front of you. And for that I'm asking that, that my amendment, an--and I'm, I move on my amendment Mist--Mr. Chairman, Mr. President.

PRESIDENT : Thank you, Senator Gallegos. The Chair recognizes Senator Fraser on Floor Amendment 25.

FRASER : Senator, we, we appreciate your, your, your effort to move forward on this and we wanna make sure that ev--every person given the right to get an ID an--and, an--and vote, but I don't think Senate Bill 14 is the appropriate vehicle to debate DPS operations. I think it's probably likely to be with your suggestion. There's a, probably a large expense connected with it that would have to be looked at by the Finance Committee. And, based on that, I would move to table Amendment 25.

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GALLEGOS : M--Senator Fraser, I just showed you a map that there's, if you're saying, I mean, can I speak, mis--mis--would he withdraw his motion while I can ask him a question?

PRESIDENT : Wha--What'd he say?
: (Inaudible, background conversation)

PRESIDENT : Senator Fraser, the request by Senator--

FRASER : Senator--

PRESIDENT : --Gallegos.

FRASER : --i--if, if possible, I would prefer leaving the, tabling the motion. You, you'll be able to, to close but I, I've been standing up here a long time. If, if--

GALLEGOS : But you're au--you're the author of the bill.

FRASER : --I--I will, I will remove my motion to table to allow for a question, as long as it's a short question.

: (Laughter)

PRESIDENT : Se--Senator Gallegos, you're recognized to ask Senator Fraser a short question.

: (Laughter)

FRASER : If that is possible.

: (Laughter)

GALLEGOS : Senator Fraser, you're saying that Senate Bill 14 will take care of all the photo, the free photo IDs inside the 610 Loop, is that what you're saying? I just want a yes or no.

FRASER : I, I don't, I don't think I said that.

GALLEGOS : Well, bu--I mean, you just said that--

FRASER : I--

GALLEGOS : --Senate Bill 14.

FRASER : --I said that we have, I'm sure that everyone will be able to get an ID to be able to vote. And I said that the, the concept you're talking about appears to have a large expense with it, and I also said this is not the proper venue, this bill is not the proper venue to debate the, the DPS budget. I think, probably, the Finance Committee would be glad for you to bring this issue forward with them. And the, the, but thi--this is not the venue to, to mandate, especially when we d--we haven't done a study of the cost.

GALLEGOS : Senator Fraser, I disagree with you there. This bill, this bill mandates that every, that all Texans have a photo ID, have some form of photo ID, and get a free photo ID from a DPS center. That's in this bill, not on the Finance bill. I mean, i--if we're gonna, if we're gonna mandate in this bill, then this is the place and time to debate the issue. You know, I mean, if we're gonna mandate to Texans that they will get a free ID photo from a d--from a DPS center, then i--th--I mean this is the bill that i--that is, is telling them that they're gonna do it. And, and since this

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was declared an emergency, I don't think that I have to wait for, to, for Senate Finance to meet an--th--th--where the emergency is now and we're looking at the access for the mandate that we're gonna put on these Texans, and, especially, per the map that I'm showing you. You know, in, in Houston, Texas, there's none, there's z--zero, there's zero DPS centers in here. This is the place and the time, your bill, to debate this issue and, and you're telling me that Senate Bill 14 will suffice on access to my folks, or these other cities that don't have any DPS centers inside, inside the City of Houston, or Dallas, or Fort Worth, or San Antonio, that Senate Bill 14, you're, you're saying Senate Bill 14 will, will puly--wil--wi--will suffice to these Texans that live inside the 610 Loop in Houston, Texas, is that what you're saying?

FRASER : I think I've answered that question.

GALLEGOS : 'Kay.

FRASER : Mr. President, I will now move to table Amendment 25, please.

PRESIDENT : The Chair recognizes Senator Gallegos to close.

GALLEGOS : Thank you, Mr. President. Members, I think I've explained, you know, y'all see the map. I don't have to, seeing is believing and that's it. You know, there's (sic) no DPS centers inside the 610 Loop an--and those of you that live in Houston and sit on this Floor, know what I'm talking about. I ask to vote no on the motion to table.

: (Inaudible, background conversation)

PRESIDENT : The issue before us, Ladies and Gentlemen, is the motion to table by Senator Fraser, opposed by Senator Gallegos. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. The Chair lays out the following floor amendment, Floor Amendment Number 26 by Senator Gallegos. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 26 by Gallegos. Page 23 in your packet.

PRESIDENT : The Chair recognizes Senator Gallegos to explain Floor Amendment 26.

GALLEGOS : Thank you, Mr. President. Members, this, Member, this, this is a similar amendment, Members, that requires DPS, that a process (sic) drivers license and personal ID cards, as required by this bill--

: (Inaudible, background conversation)

GALLEGOS : --a vo--th--that a per--that a place to

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go and ac--a--th--access to, to a, a free photo ID would be within five miles of, of public transportation. And, i--it basically targets the elderly and, and, I believe, requiring DPS offices to be within five miles of public transportation is a fair, i--is, is fair and (lelient) (sic), Senator Fraser, and i--it, th--just all this does is try to ensure that the ID requirement stipulated by Senator, by Senate Bill 14 are reasonable and obtainable by people with no means of transportation, and I move adoption, Mr. President.

PRESIDENT : Thank you, Senator Gallegos. The Chair recognizes Senator Fraser on Floor Amendment two--(inaudible, overlapping conversation)--

FRASER : Members, my, my response is the same as it was on the last amendment. I don't think this a proper, appropriate place to debate this, the DPS operations. We don't know the cost of this and I think this, this would not be the place to debate this issue. I would now move to table Amendment 26.

PRESIDENT : Chair recognizes Senator Gallegos to clo--

GALLEGOS : Thank you, Mr. President. I'd, I, once again, Members, I mean, if we're gonna mandate, I mean, we gotta give these people an avenue of how to get to, to a DPS center. And I, I vote, I ask you to vote no on the motion to table.

PRESIDENT : Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Gallegos. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Ni--Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 27 by Senator Lucio. The Secretary will, an--and Senator Ellis, the Secretary will read the amendment.

SECRETARY : Floor Amendment Number 27 by Lucio and Ellis. Page 24 in your packet.

PRESIDENT : Chair recognizes Senator Lucio to explain Floor Amendment 27.

LUCIO : Thank you, Mr. President. Members, this amendment requires the county clerk's office to give notice to women receiving a marriage certificate that voter identification requirements have changed, and therefore, a change in last name should remain consistent on photo IDs and voter registration information. The reason I have filed this amendment is simple. Research indicates that 11 percent of Americans surveyed by the Brennan Center for Justice do not have government-issued photo IDs such as driver's license, or state-issued nondriver photo ID. According to the US Census data, that amounts to greater than 21 million

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citizens in our country. Additionally, election workers under this bill will be te--will be tasked with verifying identity, something very new to Texas election workers. Senator Fraser, how, how do you think an election worker, with, arguably, little training, will handle a situation in which a woman either recently married, or recently divorced, presents her photo ID at the poll, and her name now reads differently from what's listed on the ro--of voter roll? That is something that we need to consider as we look at this amendment. I move adoption, Mr. President, at this time.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 27.

FRASER : Thank you, Senator Lucio, for bringing this issue forward. Actually, there's a procedure that we go through that is already being done. When a person gets married, and it changes the name, the first thing they're gonna have to do is to get a new driver's license. When they go to change the driver's license, they would be asked if they wanted to update their voter registration materials. What you're asking is an unfunded munda--mun--unfunded mandate on the county clerk's office, and we've already got this covered in current procedures. I would move to table Amendment 27.

PRESIDENT : The Chair recognizes Senator Lucio on Floor Amendment 27.

LUCIO : Mr. President, Members, since this bill does not adequately fund training of election workers, or outline a procedure for election workers to follow, then I feel, at the very least, we should warn all newly married women before they change their names. And I would be remiss at this time, and if I didn't include that I really do commend Senator Davis for all the positive work you've done on these women issues, on this issue. Members, I ask you to vote against the tabling motion at this time. Thank you.

PRESIDENT : Thank you, Senator Lucio. Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Lucio. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman.

: (Gavel)

SECRETARY : Jackson.

PRESIDENT : There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out Floor Amendment Number 28 by Senator Ellis and Senator Lucio. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 28 by Ellis, Lucio, and Rodriguez. Page 25 in your packet.

PRESIDENT : The Chair recognizes Senator Ellis on Floor Amendment 28.

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ELLIS : Mr. President, Members, if this is the one I, I think it is, this is the one for same-day registration at polling places. It would allow our constituents to register to vote at a polling place on election day. Currently, the process of voter registration can be confusing, inefficient, and unduly burdensome, preventing citizens from exercising one of their more fundamental rights, voting. As a result, Texas has one of the lowest percentage of voter turnout. In general elections we were 46th in the last cycle. If this body's gonna make the policy decision to require a photo identification at the voting booth, then it's an effort to move the dismal rankings a bit higher for us in a positive direction, in terms of people who do vote, by making it easier to get a photo identification, and also to register to vote on election day.

LUCIO : Mr. President.

PRESIDENT : Thank you, Senator Ellis. Senator Lucio, for what purpose do you rise?

LUCIO : Will Senator Ellis yield for some questions?

PRESIDENT : Senator Ellis yield?

ELLIS : Yes. I will.

LUCIO : Senator Ellis, I, I commend you for this amendment. I, e--all of us, I, I guess, worked on, on certain issues dealing with elections and all. And, I think this is one of the most important ones that I've dealt with over the years. But, Senator, I understand that 12 states, 12 states have some form of election day registration. I also understand those states have consistently boasted higher voter turnout than nonelection day registration states over, for over 25 years. Why do you think that is?

ELLIS : I, I think, Senator, it's because it makes it easier for people to participate, particular (sic) when you're makin' a change like this. This bill, that is different from the bill you and I have filed over the years, 'cause it's a bit more restrictive. We're not saying let people vote, register to vote on every day during early voting, just on election day. And those states that, that do this, as an example, tell you how much higher they are. In '08, it was 15.6 percent of the voters in Minnesota who registered on election day to vote, 16.5 percent Wyo--Wyoming, and 13.5 percent in Idaho, and I think 12 percent in Wisconsin registered on election day to vote. So, it does work.

LUCIO : Well, my staff told me that in 2008, the top six turnout states, ranked by the percentage of eligible voters who voted were Minnesota, Wisconsin, New Hampshire, Maine, Colorado, and Iowa. All but Colorado allowed e--election day registration. Why do you think those states had the highest turnout?

ELLIS : Well, of course, in part, because of the convenience and, and also, with young people in particular, some folks don't, just don't focus until the last week of an election. They've been bombarded

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with so much, but in that last week, if they (sic) interested and decide they wanna participate, and it's too late to register, then they can go and register to vote on election day.

LUCIO : Well, I heard that Texas was 46th in voter turnout during the last presidential election. Would this amendment help fix that, and, shouldn't one of our goals, as elected officials, be to help increase the turnout of eligible Texans at the voting booths?

ELLIS : Senator, absolutely it would help increase the turnout, particularly with this new burdensome requirement that you have to have a photo ID. You know, a big part of this argument about a photo ID for us doesn't make sense, because we don't have a nation, a national ID. And, a lotta folks on the left and the right, for different reasons, would oppose a national ID card. But if we had that, you know, we were talkin' to some parliamentarians from other country (sic), another country the other day, well, most places, most democracies around the world, you gotta ha--there is a national photo ID. We don't have one. But, by putting this change in place there are a lot of people who (sic) gonna show up to go and vote the way they have voted in the past, at least the thousands that Senator Fraser made reference to yesterday, who vote with their voter registration card and don't have a photo ID. So, by making this change, in particular, there're a lotta folks gonna get caught in that trap and will not know that the law changed. So, this would help, absolutely.

LUCIO : Senator, I, I live to see the day that we, as American citizens, in this great country of ours, can show up, whether it's early voting or election day, and just have the proof that we are American citizens and have the ability to vote. I think that is not only an in--an incredible right but a responsibility we have as citizens of our country. And I, I just would hope that we could catch up to some of these other countries around the world where that's the case unfortunate--

ELLIS : We--Well, Senator, thank you for your leadership over the years. Let me tell you my prediction is, under this more restrictive language, if Senator Fraser's bill does pass, more restrictive than Indiana, the state that he patterned it after, we're gonna go from bein' 46th to 49th or 50th, in terms of our turnout, because a lotta people are going to be turned away.

LUCIO : --God forbid--

ELLIS : Thank you.

LUCIO : --that.

ELLIS : I move adoption.

: (Pause)

ELLIS : Would you say, yes?

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 28.

FRASER : Members, I think all of you recognize this as the procedure a--for same-day res--registration. Senate Bill 14 is not

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the proper forum for a debate on this issue. I would now move to table Amendment 28.

PRESIDENT : The Chair recognizes Senator Ellis--

ELLIS : I, I'll ask--

PRESIDENT : --to close.

ELLIS : --res--respectfully vote against Senator Fraser's motion.

PRESIDENT : The issue before us is a, a motion to table by Senator Fraser, opposed by Senator Ellis. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams. Zaffirini.

PRESIDENT : (Gavel) Members, there being 20 ayes and, and 10 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 29 by Senator Gallegos. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 29 by Gallegos.

PRESIDENT : The Chair recognizes Senator Gallegos to explain Floor Amendment 29.

SECRETARY : Page 27 in your packet.

: (Inaudible, background conversation)

PRESIDENT : Um--Senator--

GALLEGOS : Thank--

PRESIDENT : --Gallegos, just one moment. Senator Zaffirini, are you wishing to speak, no, it's not, that's a computer light.

: (Inaudible, background conversation)

PRESIDENT : (All right)--

: (Inaudible, background conversation)

PRESIDENT : --right, we misunderstood. We saw a red light, but it's your computer light. Excuse me, Senator Gallegos. You're, you're recognized to explain Floor Amendment 29.

GALLEGOS : --thank you, Mr. President. Members, this amendment, yesterday, in the Committee of the Whole, you, you heard the assistant director of DPS, she, she stated in questioning by Senator Whitmire that, that some of the waiting time at the DPS centers is sometime two to three hours long. And, that was just of, of last week. Members, what this m--amendment will do is requires, and it (sic) really for the working folks, that DPS offices that process drivers' license and ID cards, it would require that i--to vote under, under Se--Senate Bill 14, to offer extended hours and on Saturday hours, increasing accessibility to the required types of ID to the working class people. The amendment simply stipulates that DPS

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offices offer at least one evening a week staying open until 7:00 o'clock, and at least two Saturday's a month operate for at least four hours. And these extended hours make it easier for people who work durin' business hours, durin' the week, and un--are unable to take off, Members. And, and they're unable to take off work to get an ID as required under Senate Bill 14. And I don't think that's, that's, that's accessible, I mean, that's very excessive. I think that's, that's at least what we should do to the working men and women that we're gonna mandate to, for them to get a voter, a, a voter ID photograph from these DPS centers. And, Mr. President, I move adoption.

PRESIDENT : Thank you, Senator Gallegos. The Chair recognizes Senator Fraser on Floor Amendment 29.

FRASER : And, Members, this is, like these, the last two issues that Senator Gallegos brought up. Senator, 14 is not the appropriate place to debate DPS operations. We, we don't know the expense of this and I would now move to table Amendment 29.

PRESIDENT : Thank you, Senator Fraser. The Chair recognizes Senator Gallegos to close on Floor Amendment 29.

GALLEGOS : Thank you, Mr. President. Members, I just, you know, I think this is the 'propriate time, since Senate Bill 14 mandates that, that photo ID be required. And for those men and working people in your districts that can't get to a DP eh--DPS center during business hours. I'm tellin' you just to give 'em a chance after hours and on Saturday so they, those that can't even get off of work, to be allowed to, at least, after work be allowed to go get a photo ID. That's all I ask, Members. And I ask you to vote no on the motion to table.

PRESIDENT : Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Gallegos. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger.

PRESIDENT : (Gavel) There being 19, there being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 30 by Senator Ellis. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 30 by Ellis, Uresti and Rodriguez. Page 28 in your packet.

PRESIDENT : Chair recognizes Senator Ellis on Floor Amendment 30.

ELLIS : Which one is that?

: (Inaudible, background conversation)

ELLIS : Yeah. Mr. President, Members, this amendment would simply require the Secretary of State to produce an annual report determining whether the changes in law, instituted by this bill,

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would produce a disparate impact on any population or subgroup. It would go through a number of voting eligible residents that ha--that have and do not have a form of ID required under the bill. The number of voting eligible residents with the required form of ID that fail to comply with Senate Bill 14, only because the address on the ID is not current. The name on the ID does not match current records, like a maiden name, or the ID is expired, the average wait time, by voting precinct, at the nearest DPS license facility that provides drivers' licenses or personal IDs. The number of eligible voters that were prevented from voting due to the enhanced ID documentation requirements made by this bill, an analysis by a subgroup on whether the changes made in this bill would produce a disparate impact on women, the elderly, persons with disabilities, students, or racial ethnic minorities. Senator Fraser, I can no more prove, without this bill being in effect, that it has the disparate impact that folks on my side are afraid of. Nor can you prove that this bill is gonna deal with the issue that you (sic) concerned about, in terms of people voting who should not vote. And there's nothing worse than when we do something and we don't know the consequences of it. But in case there are unforeseen consequences from this bill, as is the case with most bills we pass, this simply asks the Secretary of State to do a report annually, has no impact on implementation of the bill. And I'd be more than happy to answer any questions. If not, I move adoption.

: (Inaudible, background conversation)

PRESIDENT : The Chair recognizes Senator Fraser
 on Floor Amendment 30.

FRASER : Thi--This, Members, this is a discussion that Senator Ellis and I had last night. All the data that he's requesting, any Member can request that the start of every Session. We're gonna be back here two years, and every two years after that, and we're sitting here now, and I feel sure that you will likely request that. Putting that in statute, requiring it from now on, I don't think will be necessary. When we come back, I feel sure that you will ask for this, and we will, we'll look at the data, but I would oppose putting it into statute. I will now move to table Amendment 30.

PRESIDENT : Chair recognizes Senator Ellis to close
 on the amendment.

ELLIS : Members, part of the problem with this bill is that we don't know the consequences. This disparate impact report simply requires that it be collected. All this information may not be collected. There was information we were askin' for yesterday. As you know, my desk mate probably said 30 times to ask the Secretary of State. Well, some of us did and we (sic) still waitin' on the answers. So, what this does is simply say, if you're gonna make a fundamental change like this, and this is a major change, and I think all of us would be naive to try and argue it is not goin' to have an impact on turnout. It will. It's gonna have a impact on how many people are able to vote. So, I would encourage you to just let us include

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in this bill a requirement that there be a statement. The collection of the data, all this data will not be collected. We didn't have it yesterday. This just complies with what my distinguished desk mate was sayin' all day yesterday, ask the Secretary of State. So, I'm just requiring that they collected, collect the data so the next time somebody asks, they can get it. Thank you.

PRESIDENT : Thank you, Senator Ellis. Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Ellis. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 31 by Senator Van de Putte. The Secretary will read the amendment.

: (Inaudible, background conversation)
 SECRETARY : Floor Amendment Number 31 by Van de Putte. Page 30 in your packet.

PRESIDENT : The Chair recognizes Senator Van de Putte on Floor Amendment 31.

VAN DE PUTTE : Thank you, Mr. President. Mr. President and Members, the amendment that you see before you amends the bill by just adding two sections, or two parts in, in the bill. It doesn't take up any change in the law, but what it does ask for is a certification. When this bill takes effect, we really wanna make sure that two things occur, and, I've gotta tell you, very, very happy to at least s--see the voter education and outreach. But, before that, we've all talked about how difficult it is with costs, so what my amendment would do, would be to ensure that this very different change in voting procedures doesn't take effect unless we make sure, from state agencies, that there are some sort of a certification that the proper steps have been taken. So, the first part is to make sure and that to have our Comptroller certify that there's been enough funds and that the funds have been appropriated and so that the, it would have that the Comptroller makes sure that it's fully funded, that she certifies that it's fully funded or determines. And the second part, because of the duties of the Secretary of State, that tha--those divisions have, and they do an excellent job of doing the training for, or at least putting in the guidelines, the, the training for those election judges and registrars at the local level, those are the county. And this would have the Secretary of State certify that their office is ready, so that the Secretary of State is fully ready to implement this, and then that, that each county has complied with the change in the law. So, if you look at it, I don't believe it's an unfunded mandate, because what they

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have to do, and if you look at the wording in st--in Line 11, that they had to, just, they have to certify that the changes in the law have been developed, of the training component and the information required by this act has been done, and that in, they are prepared to implement the changes as applicable. So, the first draft that I got, I gotta tell you, Senator Fraser, I really didn't like 'cause I was concerned about the unfunded mandate, but all this does is make sure that the Secretary of State, first of all, certifies that their office is ready to go. The second thing that it would do is it would have the registrar, the county officials certify to the Secretary of State that they're ready to go and that--

: (Inaudible, background conversation)
 VAN DE PUTTE : --they are prepared. It doesn't say that they have done the training, but it just says that they have developed the training and the information, and they are prepared to implement. So it doesn't require the certification that they have implemented, but they're, that they are, again, ready to go. Members, one's right to vote is way too precious for there to be a possibility that th--that someone would have that right denied because they didn't know about the new provisions of this law, or we didn't have our county officials ready. All this amendment does is to make sure that we, we, we tell the people of the State of Texas we've done this law and our Secretary of State is ready to go and, and is ready to implement, and that our county officials are ready to go, and, of course, the most important thing is the Comptroller saying, yeah, the funds are there and we have enough certified in the bud--ready to go. So, Senator Fraser, I, I hope you've looked at it, but I kinda call this the ready to go amendment. It makes sure that we are, indeed, (prefared) (sic) for this really different change in our election laws.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 31.

FRASER : Members, this amendment goes way outside the normal procedures for either one of these agencies. As legislative body, we write the law and then it's up to the Executive branch to get it implemented. I would now move that we table Amendment 31.

PRESIDENT : The Chair recognizes Senator Van de Putte on Floor Amendment 31.

VAN DE PUTTE : Well, thank you, but, actually, I respectfully disagree. The Secretary of State has to certify to the Federal Elections Commission that all go, rules and guidelines are gonna be adhered to and they do this through the Elections Administrations survey that is done. And, with that survey, they have to certify that they have complied with federal election law and state election law. So, they already have to certify to, basically, the federal elections officials that they are, but this just says that the county officials say that they're ready to go, and, it doesn't state, Senator, that they've done the training, it just says they're ready to implement the training that has been developed. And I think the

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Comptroller pretty much certifies a whole lot bigger things, like our revenue estimates and everything else, so asking her, I don't think, is goin' out of bounds of what her regular scope of duties and responsibilities under the Constitution of, of the State of Texas. So, I would respectfully request that you vote no on the motion to table.

PRESIDENT : Thank you, Senator Van de Putte. The issue before us, Ladies and Gentlemen, Members, is the motion to table by Senator Fraser, opposed by Senator Van de Putte. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table pr--prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 32 by Senator Watson and Senator Rodriguez. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 32 by Watson and Rodriguez. Page 31 in your packet.

PRESIDENT : The Chair recognizes Senator Watson on Floor Amendment Number 32.

WATSON : Mr. President, thank you very much. Members, this amendment would point out that this act does not make an appropriation and it would only take effect if a specific appropriation for the implementation of the act is provided in a general appropriations act of this Legislature. You might be feeling deja vu, not just because we're talking about voter ID again, but because you will recognize this amendment as what we refer to as the Ogden amendment during the last Session of the Legislature. I move approval of this floor amendment.

: (Inaudible, background conversation)
 : Say that (inaudible, not speaking into the microphone)--

: (Inaudible, background conversation)
 WATSON : And it is, after all, Ogden heavy as, as Chairman Ogden points out. Yes, that is correct.

: (Inaudible, background conversation)
 PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment, Floor Amendment 32.

FRASER : I wa--I wanna make sure we got that in, this is just not regular Ogden, this is Ogden heavy.

WATSON : Thi--This i--this is the full-bore Ogden amendment.

FRASER : Senator Ogden, do you have, do, would you like to comment? And I would yield to Senator Ogden.

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PRESIDENT : Chair recognizes Senator Ogden.
OGDEN : Yes, I do. I a--I appreciate Senator
Watson join m--joining me in our tightfistedness with the state budget, so, I
wanna thank you for that. And--
WATSON : Y--You, you finally gave--
OGDEN : -- (inaudible, overlapping
conversation)--
WATSON : --you finally gave me something. I
really enjoyed doin' that with you, Senator Ogden.
OGDEN : (Laughter)
OGDEN : --and he brings up, in a way, a bigger
point, because as we go through this Session, we're, we're gonna have to deal
with many bills that have fiscal notes and, though this process works (sic)
last time, and I think it's the best that we can do today, so I, I have no, I
intend to vote for your amendment. I would also encourage us to think very
hard about coming up with a better procedure going forward.
WATSON : And, if I might, Mr. President. I agree
with you, Senator Ogden, and that was part of the reason that, that I made
the, made the effort to, to change our rules and do some of those kinds of
things, (bercause) (sic), specifically, with this budget, I think that's
appropriate. And, I think, one of the, maybe, positive, unintended
consequences of this so-called emergency, is that we had the opportunity
yesterday, on this Floor, to ask a lot of questions that were left unanswered
about what the actual cost of this bill was. But we're seeing such an effort to
pass the bill, just so that the bill can be passed, that we're willing to gloss
over those questions about fiscal responsibility, and so that is one of the
reasons I'm offering this amendment is to assure that, as this Session goes
forward, we do maintain some level of fiscal responsibility, no (batter) (sic)
how badly we may want to pass a bill like this.
PRESIDENT : The Chair recognizes Senator Fraser.
FRASER : We, we debated this a lot last night,
that we're, we fully believe that the, the cost of this will, we think will come
from federal HAVA funds. But, I think, as a backstop, I think it's very
appropriate that we have the Chairman of Finance say that, you know, we,
we need to make sure if we're gonna do this we need to pay for it, and, I think
is what we're doing with this amendment. This amendment is acceptable to
the author. Thank you for bringing it forward, Senator Watson.
WATSON : Thank you, Ch--Mr. Chairman.
PRESIDENT : (Inaudible, background conversation)
PRESIDENT : Members, the issue before us is the
adoption of Floor Amendment Number 32, which is supported by Senator
Watson, which is supported by the bill's sponsor, Senator Fraser. The
Secretary will call roll.
SECRETARY : Birdwell. Carona. Davis. Deuell.
Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris.

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SECRETARY : (Gavel)
 SECRETARY : Hegar.
 PRESIDENT : There being 30 ayes and no nays,
 Floor Amendment Number 32 is adopted. (Gavel) The following floor
 amendment na--Floor Amendment Number 33 by Senator West. The
 Secretary will read the amendment.

SECRETARY : Floor Amendment Number 33 by
 West. Page 32 in your packet.

PRESIDENT : Chair recognizes Senator West to
 explain Floor Amendment Number 33.

WEST : Thank you very much, Mr., Mr. Ch--
 Mr. President. And, consistent (wit) (sic) what we are here to do, our number
 one job is to pass a budget. And, we know that, based on the budgets that
 have been introduced, that some experts are saying that we may lose 80 to
 100,000 jobs in our public school districts. Members, in 2008 or either 2009,
 many of our school districts had to declare financial exigency. And, basically,
 saying they didn't have enough money to operate. And I know that many of
 you are hearing back home the same thing that, based on the cuts that will
 be occasioned by the Legislature, there may very well be numerous layoffs in
 our public school districts. And the question is, is whether or not that's going
 to be a priority, the priority being making certain that we put every penny
 that we have towards ensuring that the teachers that we currently have stay
 in place, Senator Shapiro. That the pay that they currently have is still in
 place. For the reality is, is that, we're holding our school districts
 accountable, not only for passage, making certain that students pass our
 tests, but also accountability, a whole host of accountability measures. And
 the reality is, also, is that the budget, as introduced, in both the House and
 the Senate, that school districts will, in fact, lose money. The fa--Senator
 Nichols, S--San Augustine ISD had to declare a financial exigency, and I
 don't know how many employees they lost, but the reality is, is that we know
 that if there's a financial crisis, school districts must respond. And all of us
 recognize that the school districts are going to have to tighten their belt, just
 as we tightened our belt. Now, why do I bring this to your attention? The
 reason I bring it to your attention, we have (sic) long discussin--discussion
 yesterday, that we would use HAVA funds, but when the DPS testified, they
 indicated to all of us, Senator Fraser, that they didn't know what the cost was
 going to be in order to implement this bill, which basically says, that they're
 going to be, tha--that they will end up havin' to use some general revenue.
 We recognize that general revenue, durin' this particular phase of our
 history, is more precious than ever. And that every dollar that we have,
 every penny, Senator Whitmire, that we have, we need to make certain that
 we fund our public schools. And so what this particular amendment basically
 says is a--if at the passage of a general appropriation act, during this
 legislative Session, the funding provided to our school districts through the
 Foundation School Program, and for tho--those Members, the Foundation

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School Program is the key program that we use in order to fund our public schools, or through direct distribution to the districts, and if it's not s--if we have not pu--put in sufficient money to maintain the current distribution per teacher, and to maintain an equal number of teachers in the district, then this particular bill has no effect. And so, knowing that Senator Ogden, and many of us on Finance will be working to make certain that we fund our public schools, your public schools, our public schools in State of Texas, I think that we send the right message, in terms of exactly what our priorities are, by passage of this particular amendment. I move adoption of the amendment.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 33.

FRASER : Senator, the, the education of our children, are, no doubt, a very, very important thing. A function this state performs. But, the bill before us, Senate Bill 14, is not the appropriate vehicle to debate education funding. I would now move to table Amendment 33.

PRESIDENT : The Chair recognizes Senator West to close.

WEST : Members, you vote how you wanna vote. You need to make certain that you send the right message, and I think the message is, is funding--

WEST : (Inaudible, background conversation)
 : --and I understand that there's a political divide.

PRESIDENT : (Inaudible, not speaking into the microphone) three that were pulled (inaudible, not speaking into the microphone)--

WEST : (Yeah.)
 : I understand that there's a political divide over the voter ID law. But I don't think there's a political divide over making certain that we provide the necessary funds for public education in the State of Texas. And so, when you de--decide, on this particular vote, you need to decide whether or not voter ID, funding voter ID implementation has a higher priority than funding our public schools.

PRESIDENT : Members, the issue before us is the motion to table by Senator Fraser on Floor Amendment 33, opposed by Senator West. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) Members, there being 19 ayes and 11 nays, the motion to table prevails. (Gavel) Chair lays out the

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following floor amendment, Floor Amendment Number 34 by Senator West. The s--the Secretary will read the amendment.

SECRETARY : Floor Amendment Number 34 by West. This is not in your packet, amending Senate Bill 14 in Section 23 of the bill.

: (Inaudible, background conversation)
 PRESIDENT : I, I believe it's being passed out at the present time. The Chair recognizes Senator West on Floor Amendment 34.

WEST : Thank you very much, Mr. President. Members, all of us, how many of you for un--unfunded mandates, raise your hands? I didn't think so. All of us wanna make certain that any mandate that we codify, and send to the counties, that we provide them the necessary financial resources to implement. Yesterday, as part of the fiscal note, we know, Senator Wentworths (sic), Senator Van de Putte, Senator Zaffirini, that Bexar County basically said that they were going to have a fiscal note of some three-hundred and eighty-one thousand dollars in order to implement this particular bill. And I'd be willing to wager you that Bexar County, as other counties throughout this State, are having a fiscal crisis similar to those tha--similar to the one that we're having here in the Capitol. If Bexar County is going to have to spend three-hundred and eighty-one thousand dollars to implement this bill, then they're gonna have to come up (sic) that money someplace. And they're tightening their budget, I assume, and I hadn't looked at it, but they're tightening their budget, so something is going to have to give. And so the question is, is whether or not, Senator Ogden, we wanna send unfunded mandates to the counties. We have no empirical evidence, at all, about how much it's gonna cost counties to implement this particular bill. And, I'm pretty certain that this vote is gonna go down blue jerseys against red jerseys, unfortunately. But I know that all of us wanna make certain that, Senator Fraser, we don't have unfunded mandates. And so, when you vote on this, the bill bas--the amendment basically says that we will not provide any unfunded mandates on our counties. Let me say that one more time. I assume that Senator Fraser is going to say let's table this. Your vote, on tabling this, basically, is a vote for unfunded mandates. And I would assume that if counties have to pick up any of the cost associated with implementation of voter ID, you would wanna make certain that the state provides the financial resources necessary for those counties. And so, I hope that--

: (Inaudible, background conversation)
 WEST : --your vote reflects what our philosophy has pretty much been, no underfunded mandates on cities or counties in the State of Texas. I move passage of the amendment.

PRESIDENT : Members, the issue before us is the motion to table by Senator Fraser.

: (Inaudible, background conversation)
 PRESIDENT : I haven't g--gone to him, all right.

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Sorry, I was--

FRASER : Long afternoon.

PRESIDENT : --(inaudible, not speaking into the microphone) long afternoon. The Chair recognizes Senator Fraser on Floor Amendment 34.

FRASER : Members, this is a, another issue that we, we talked a lot about last night. The testimony of the Secretary of State's office is that their observation was that some of these counties that had estimated the cost didn't realize that a lot of this would like to be picked up by the Secretary of State's office. And, a lot of thi--could come from HAVA funds. Their projection is, is that the, the bulk of these costs will, will flow that way, hopefully all the cost. We had a report from numerous counties that believe there would be no cost and they could pick it up with existing county services. I would now move to table Amendment 34.

PRESIDENT : The Chair recognizes Senator, Senator West to close.

WEST : Thank you very much, Mr. President. I won't belabor the point, Members. If, indeed, it's not an unfunded mandate, then this particular amendment, once we place it on there, will have no effect. But the reality is, is that in your fiscal note yesterday, Bexar County said it was gonna be three-hundred and eighty-one thousand dollars, and I think there was another county that said it was gonna be eight thousand dollars, and one other county said it would have no, no affect. And so the point is, is if, indeed, there will be sufficient funds in order to fund this, then it will not be an unfunded mandate. And so I would hope that you would vote against tabling this amendment and let's make certain that we put this on this particular bill to ensure our citizens, our constituents back home, that they will not be getting any unfunded mandates from state government. Thank you.

PRESIDENT : Now, Members, the issue is the (laughter) motion before us by Senator Fraser to table Floor Amendment Number 34, which (laughter), which Senator West opposes with both hands. All right. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 34 (sic) by Senator Patrick. The, the Secretary wi--will read the amendment.

: (Inaudible, background conversation)

SECRETARY : (Yes, yes), this is Floor Amendment 35. Floor Amendment Number 35 by Patrick, being passed--

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PRESIDENT : The Chair recognizes Senator Patrick to explain Floor Amendment 35.

PATRICK : Thank you, Mr. President and Senator Fraser, thank you for your stamina today. Members, this is an amendment that will address an, an issue that was discussed last night with the folks that were concerned about our community of disabled in Texas. What this amendment clearly does is allow an applicant who wishes to receive an exemption based on disability, from the requirements of Section 6301, that they must include a certification from a physician that a person has a disability under the Labor Code, with the person's application. What this means in layman's terms is that if someone is disabled, and they wanna be exempted from having to take a photo ID to vote, they simply must send in a letter from a doctor into the voter registrar and they will receive an exemption from having to take a photo. They can, of course, vote by mail as they do now by checking off the box but many members of our community of the disabled will actually want to go to vote but it could be a burden to receive, to go and get that photo ID, if they don't have one. So, if you look at this closely, Members, at the bottom of the page, number two, we have an exemption for those who are of 70 years of age or older, as of January 12th. This will also add an exemption to those who are disabled. They will have a registration card that when they take in, will show they are not required to have a photo ID. And I asked (sic) for passage.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 35.

FRASER : The, the amendment is acceptable.

PATRICK : Thank you.

PRESIDENT : Members, Senator Patrick moves the adoption of Floor Amendment 35, it's acce--it's acceptable to Senator Fraser. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols.

: (Gavel)

SECRETARY : Og--

PRESIDENT : There being 30 ayes and no nays, Floor Amendment Number 35 is adopted.

PATRICK : Thank you, Mr. President.

PRESIDENT : Thank you, Senator. The Chair lays out Floor Amendment Number 36 by Senator Davis. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 36 by Davis, amending Senate Bill 14 by adding the following appropriately numbered sections, beginning with Section 82.006.

PRESIDENT : The Chair recognizes Senator Davis to explain Floor Amendment 36.

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DAVIS : Thank you, Mr. President. This amendment goes to the heart of the issue that our disabled voters currently face and is in keeping with the amendment that was introduced by Senator Patrick a moment ago. It actually reflects part of the recommendation from the Carter-Baker Report to make it easier for those in our disabled community to absentee vote. What it would allow is the creation of an opportunity for a disabled voter to receive a permanent absentee vote status unless and until they ask that that be removed. It would allow the disabled voter to apply at the time that they register to vote, or at a polling place on election day, or during early voting and then it would become activated on the first election after the application is submitted. I move adoption of Floor Amendment Number 36.

PRESIDENT : Thank you, Senator Davis. The Chair recognizes Senator Fraser on Floor Amendment 36.

FRASER : Senator, we appreciate you bringing this forward. This issue was just taken care of in the, the amendment that Senator Patrick did, and I would move to table this Amendment Number 36.

PRESIDENT : Chair recognizes Senator Davis on Floor Amendment 36--

DAVIS : Thank--

PRESIDENT : --to close.

DAVIS : --you, Mr. President. This actually isn't at all taken care of by Senator Patrick's amendment. Senator Patrick's amendment simply removes the requirement that a disabled voter would have to show a picture ID when they go in person to vote. What this amendment does instead, is allows a permanent absentee vote status for a disabled voter who requests that status. In fact, it, it's the opposite of Senator Patrick's in the sense that it's looking at the absentee vote opportunity for the disabled voter, not the in-person voting opportunity for the disabled voter. And I would move that we vote no on the table to Floor Amendment Number 36.

PRESIDENT : Thank you, Senator Davis. Members, the issue before us is the motion to table by Senator Fraser, opposed by Senator Davis. The Secretary will call roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nic--Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The Chair lays out the following floor amendment, Floor Amendment Number 37 by Senator Davis. The Secretary will--will read the amendment.

SECRETARY : (Inaudible, background conversation)
: Floor Amendment Number 37 by

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Davis, amending Senate Bill 14 by adding the f--the appropriate, following appropriately numbered section to the bill, which is adding Section 31.015, uniform statewide voter registration system.

PRESIDENT : Senator Zaffirini, do you wish to speak?

ZAFFIRINI : I had pressed my button to get, to ask permission to ask a point of information.

PRESIDENT : Yo--You're recognized.

ZAFFIRINI : Could you tell us, Mr. President, how many more amendments are, will be before us?

PRESIDENT : Yes, we are on, this amendment is Amendment Number 37. We have, we have three more and then we've had three or four amendments that were pulled, temporarily, and so wh--we're gonna have to go back to the author and see if they want to bring them back up.

ZAFFIRINI : 'Kay. Thank you very much.

PRESIDENT : Thank you, Ma'am. The, the Chair recognizes Senator Davis on Floor Amendment 37.

DAVIS : Thank you, Mr. President. Floor Amendment '37 seeks to implement another recommendation from the Carter-Baker Report, which is to have a statewide voter registration system that would include the following, expanded voter registration outreach. It would establish more registration offices, especially where distance between offices is determined to be prohibited. It would provide for outreach to inform voting age population of registration status, registration location, and locations of precinct polling places. Voters would be able to verify and correct registration information 30 days prior to elections. Voter assistance hotlines and Web sites, which are active 30 days prior to elections, would be created to answer questions. And, it would establish an ombudsman at the state level to address cases of voter suppression, voter discrimination, or other abuse against voters. In the face of a more limiting opportunity for voting in the State of Texas, as is presented by Senate Bill 14, I feel it's important that we enhance and protect the rights of those who currently have the right to vote, to the extent possible, and this amendment seeks to do that. I would move adoption of Floor Amendment Number 37.

PRESIDENT : Thank you, Senator Davis. The Chair recognizes Senator Fraser on Floor Amendment 37.

FRASER : Members, the Senate Bill 14 is a, a voter identification, photo ID bill, this bill deals with registration. This is not the appropriate p--forum to bring this issue forward. I move to table Amendment 37.

: (Pause)

PRESIDENT : Chair recognizes Senator Davis, excuse me for the, the delay--

DAVIS : Certainly.

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: (Inaudible, background conversation)
 PRESIDENT : --recognizes Senator Davis to close.
 DAVIS : Thank you, Mr. President. Again, as I
 stated, I believe that Senate Bill 14, that we are voting on today, serves to,
 very likely, limit or decrease the, the opportunity for legal voting citizens in
 the State of Texas to exercise their right to vote. I feel it's important that if a
 bill like that is to pass we do everything we can to enhance that right to the
 extent possible, which is what this amendment seeks to do. I would therefore
 ask that we respectfully vote no on the motion to table Floor Amendment
 Number 37.

PRESIDENT : Thank you, Senator Davis. Members,
 the issue is the motion by Senator Fraser to table Floor Amendment 37,
 Senator Davis opposes. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell.
 Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa.
 Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez.
 Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire.
 Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11
 nays, the motion to table prevails. (Gavel)
 : (Pause)

PRESIDENT : The Chair lays out the following floor
 amendment, Floor Amendment Number 38 by Senator Davis. The Secretary
 will read the amendment.

SECRETARY : Floor Amendment Number 38 by
 Davis, amending Senate Bill 14 by adding an appropriately numbered
 section.

PRESIDENT : The Chair recognizes Senator Davis to
 explain Floor Amendment 38.

DAVIS : Thank you, Mr. President. Currently,
 when voters are notified that they've been removed from the voter registry for
 particular purposes, the reasons that trigger that notification are fairly
 limited. This amendment would seek to expand the purposes for which
 notification is provided. One, in the death of a voter because, actually,
 sometimes a person is removed from a voter list based on the belief that
 they've died when they actually have not. The other would be notice that the
 residence is outside the country which could possibly be incorrect. The other
 would be where a voter has applied to vote in another county, or state, which
 again is possibly incorrect. And then, finally, a notice of cancellation due to a
 voter's name appearing on a voter suspense list which could be incorrect.
 This simply seeks to assure that when a voter is removed from the voter
 registry, it is being done for proper purposes, and provides as much an
 opportunity to cure a defect that might've been created in the removal from
 the voter registry as possible. I would move adoption of Floor Amendment
 38.

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PRESIDENT : Thank you, Senator Davis. The Chair recognizes Senator Fraser on Floor Amen--Floor Amendment 38.

FRASER : As in the last issue, Senate Bill 14's relating to the requirements to vote. This bill deals with the register--voter's registration. This is not the appropriate forum. I would now move to table Amendment 38.

: (Inaudible, background conversation)
: (Fraser moves to table.)

PRESIDENT : Senator Fraser moves to table. The Chair recognizes Senator Davis to close.

DAVIS : Thank you, Mr. President. I would again simply say that it is my strong belief that the Senate bill that we are voting on today would serve to limit the number of, of voters who are legally registered and voting today. And I'm simply trying to create corresponding opportunities to enhance the protection of legal voting rights in the State of Texas to the extent possible, simultaneously as we take up this issue. I would respectfully ask that we vote no on the motion to table Floor Amendment Number 38.

PRESIDENT : Thank you, Senator Davis. Members, the issue is the motion to table by Senator Fraser, opposed by Senator Davis. The, the Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel) The following floor amendment, (inaudible)--

: (Inaudible, not speaking into the microphone)

: (Long pause)

PRESIDENT : --the Chair lays out the following floor amendment, Floor Amendment Number 39, by Senator Davis. The, the, the Secretary will, will read the amendment.

SECRETARY : Floor Amendment Number 39 by Davis, amending Senate Bill 14 in Section 7 of the Bill.

: (Long pause)

PRESIDENT : The Chair recognizes Senator Davis to explain Floor Amendment 39.

DAVIS : Thank you, Mr. President. Floor Amendment Number, is this Number 40, 39?

PRESIDENT : (Inaudible)--

DAVIS : Floor Amendment Number 39 seeks to address a concern with regard to indigent voters who may not be able to

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obtain proof of identical identification because they cannot afford the fees that would provide them with that identification. What this amendment would allow would be for the indigent voter to fill out a provisional ballot. If a voter is accepted for a provisional ballot, under this amendment, they would, not later than the sixth day after the date of the election present proof of their identification to the voter registrar, for examination by the early voting ballot board, or execute an affidavit before the voter registrar, affirming under penalty of perjury, that the voter is indigent. It provides that the description of indigency would follow the Government Code in the State of Texas, which states that an indigent person means an individual who earns not more than 125 percent of the income standard established by applicable federal poverty guidelines. This amendment mirrors the Indiana indigency provision, in the Indiana voting law, which allows for an indigent person to be relieved from the cost of providing identification in order to vote. I would respectfully move adoption of Floor Amendment Number 39.

PRESIDENT : Thank you, Senator Davis. The Chair recognizes, Senator Duncan, for, for, for what purpose do you rise, Sir?

DUNCAN : A question of the author of the amendment.

PRESIDENT : Will Senator Davis yield?

DAVIS : Yes.

DUNCAN : Thank you. Senator Davis, I saw your amendment earlier on and had been working on an idea to deal with the issue of someone who is indigent and who may not be able to afford or pay the fee to get the birth certificate. I think we heard some testimony on that last night. So, I've come up with an idea. Let me ask you a couple questions on yours though. As I understand yours, the person would be eligible to vote without a provisional ballot, it would just be if they executed an affidavit that they were indigent at the voting place, then they would be able to go ahead and vote just a regular ballot. Is that correct?

DAVIS : Actually, I--I don't believe that is correct, S--Senator Duncan. It provides that a person who is indigent and who is unable to obtain proof of ID, without the payment of a fee, shall be provided a provisional ballot as provided under Section 63.011. So, they actually would be required to vote provisionally.

DUNCAN : Well, I didn't read it that way and so I came up with an alternative version and I'd like for you, if you wouldn't mind pullin' this one down--

DAVIS : Of course.

DUNCAN : --let's look at it and see if, if it works.

DAVIS : I'd be happy to do that.

DUNCAN : (Inaudible, overlapping conversation)
 thank you.

DAVIS : Thank you, Senator Duncan.

PRESIDENT : Senator Lucio, did you wish to speak

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on this?

LUCIO : No, thank you, Mr. President. I think she's gonna pull it down and I'll, I'll ask some questions a little later. Thank you.

PRESIDENT : All right, Senator Davis temporarily pulls down, n--are you pulling down?

DAVIS : Yes.

PRESIDENT : Pulls down Floor Amendment Number 39.

END OF SECTION II

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(Lieutenant Governor Dewhurst, Presiding)

PRESIDENT : The following floor amendmen--the f--
the following floor amendment, Floor Amendment Number 40 by Senator
Duncan, Ogden and Pa--and, and Patrick, the Secretary will read the
amendment.

SECRETARY : Floor Amendment Number 40 by
Duncan, Ogden and Patrick, (it's) being passed out.

PRESIDENT : The Chair recognizes Senator Duncan
on Floor Amendment For--

DUNCAN : Thank you, Mr. President and
Members. F--Floor Amendment Number 40 is a modification of Senator
Davis' amendment, and I think it makes it clear that if a person is an in--an
indigent person as defi--(cough), 'cuse me, as defined in state law in the
government code, then that person then would be able to cast a provisional
ballot. And like under the bill as stated, for a person who does not have
identification can then return to the registrar and execute an affidavit, under
the penalty of perjury, if the person is indigent, or has a religious objection to
being photographed. (And) that's very similar to, if not identical to, the
provisions in the Indiana law. And it would be a fail-safe provision for those
persons, and I think this language makes that very clear. And I know we
heard some testimony yesterday with regard to those concerns and issues.
And, so, we believe this would be an appropriate provision to put in the bill to
accommodate that concern.

: (Pause)

: (Inaudible, background conversation)

: (Thank you.)

PRESIDENT : Senator Davis, for what purpose?

DAVIS : To make a, a comment to the author of
the amendment.

PRESIDENT : Will, will Senator Duncan yield?

DUNCAN : I'll yield.

DAVIS : Thank you, Senator Duncan. I've read
your amendment and I certainly have no pride of authorship on this issue. I
think your amendment actually does do a better job of spelling out how we
create this protection. It does it not only for an indigent voter but also for
someone who has a religious objection to being photographed. I support your
amendment wholeheartedly and will pull mine down and give you my vote
and support of your amendment. Thank you.

PRESIDENT : The Chair recognizes Senator Fraser
on Floor Amen--Floor Amendment Number 40.

FRASER : I, I would declare this is good work on
th--on the Senators. They've, it's an issue we actually have been talkin' about
all day of how to, to solve it. Senator Duncan, I appreciate you working on it,
and I think there were, there are a coupla other Senators involved, but this is

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very acceptable, and, to the author.

PRESIDENT : Members, the issue is on the adoption of Floor Amendment Number 40.

DUNCAN : (Fo--Fo)--Mr. Chair--

PRESIDENT : (Inaudible, overlapping conversation)--

DUNCAN : --Mr. President, before we do that could we add Senator Davis' name to the amendment?

: (Yes.)

DUNCAN : She said yes.

PRESIDENT : --'kay.

: (Inaudible, background conversation)

PRESIDENT : The issue is th--the adoption of Floor Amendment Number 40 by Senator Duncan, which is supported by--

: (Laughter)

PRESIDENT : --Senator Fraser. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman.

: (Gavel)

SECRETARY : Jackson.

PRESIDENT : There being 30 ayes and no nays, Floor Amendment Number 40 is adopted. (Gavel)

: (Inaudible, background conversation)

: (Think that'd really help me?)

PRESIDENT : Davis.

: (No.)

PRESIDENT : Would Senator Davis and Senator Fraser come forward, with, we--we have some--

: (Inaudible, background conversation)

PRESIDENT : --some--

: (Inaudible, background conversation)

PRESIDENT : --amendments that have been pulled, and I wanna see what the status on that is.

: (Long pause)

: (Inaudible, background conversation)

: (Laughter)

: Oh.

: (Inaudible, background conversation)

microphone) (yes)--

: (Long pause)

: Uh-huh.

: (Inaudible, background conversation)

: (Laughter)

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conversation)-- : (Yeah) (inaudible, background
 : (Inaudible) (work)?
 : (Inaudible, background conversation)
 : (Inaudible) (fine) (inaudible, not
 speaking into the microphone)--
 : (Coughing in background)
 : (Inaudible, background conversation)
 : (We could lay this one) (inaudible, not
 speaking into the microphone) (frequency) (inaudible, not speaking into the
 microphone)--
 : (Know why, I) (inaudible, not speaking
 into the microphone)--
 : (Inaudible, background conversation)
 DUNCAN : What's the issue?
 : (Inaudible, background conversation)
 : Amendment Number 6, we wanna
 look at.
 : (Is that) (inaudible, background
 conversation)--
 : (Huh?)
 : (Inaudible, background conversation)
 : (Long pause)
 PRESIDENT : ('Kay, true.) (Gavel) (Allow) me to see
 where he is.
 : (Pause)
 : (Inaudible, background conversation)
 PRESIDENT : (Gavel) Senators, we've got three
 amendments that had been temporary pulled and we're gonna bring those up,
 and then we're through with the amendments. Floor Amendment Number 11
 by Senator Davis was temporarily withdrawn.
 : (Inaudible, background conversation)
 PRESIDENT : The Chair lays out Floor Amendment
 Number 11 by Senator Davis and Senator Ellis. The Secretary will read the
 amendment.
 SECRETARY : Floor Amendment Number 11 by
 Davis, amending Section 7 of the bill.
 PRESIDENT : The Chair recognizes Senator Davis to
 explain Floor Amendment 11.
 DAVIS : Thank you, Mr. President. As
 described earlier in the afternoon, this is the amendment that seeks to
 provide an opportunity for a woman whose name has changed through
 marriage or divorce, either to correct that information by preven--by
 presenting a marriage license or a divorce decree to the election
 representative, or by executing an affidavit stating that her name is the

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name on the precinct list of registered voters, but has been changed due to marriage or divorce, so does not match that name that's listed on her state issued ID card. I have worked with Senator Fraser on the amendment. Senator Fraser has requested that I remove the affidavit portion, which would take away the woman's opportunity to provide an affidavit swearing under penalty of perjury that her name changed because of marriage or divorce, and, instead, leaves her only with the opportunity to vote if she's able to present a marriage license or a divorce decree. My concern about striking the affidavit language is that we actually will be creating a more burdensome situation (than) currently exist under the law today. As the Secretary of State's office testified yesterday, at least right now, there's discretion in the offices of our, our county registrars, in terms of how they deal with the situation. And certainly, it's the case that today, in many precincts, women are able to go in and clarify that the change in their name has occurred through marriage or divorce, and, and that is acceptable to the, the precinct election officer. If we take the affidavit language out of this amendment, I'm afraid that we're actually creating a greater burden than exists today, because it would take away that discretion and actually provide that it would only be allowed where a marriage license or a divorce decree could be provided. And, I-I-I can't accept the amendment to my amendment that Senator Fraser was proposing. So, I would continue to ask for support of Floor Amendment Number 11 in its current form.

PRESIDENT : The Chair recognizes Senator Fraser on Floor Amendment 11.

FRASER : Members, Senator Davis has actually outlined it e--pretty much, exactly the way this is played out. We, we've been working for the last hour and a half trying to find a way that this amendment would work. The first two sections she's amending, which is (i), and then the Number 1, we're comfortable with and be willing to take. And we ask her if she'd take Number 2 out, that, it would be acceptable, and I'd be glad to take the amendment. I think Senator Davis believes, her interpretation is, if you take out 2, it would possibly change it and, and, and not make it better than current law. We disagree, or I disagree, that that is the case. And, we, we tried hard on this one, we, we tried to get it through, but I, I don't think we're gonna get there. And, I, I'm, Senator, I think I'm gonna have to move to table Amendment Number 11.

PRESIDENT : The Chair recognizes Senator Davis to close.

: (Inaudible, background conversation)

DAVIS : Thank you, Mr. President. Again, I would just urge that where a woman is willing to sign a sworn affidavit under penalty of perjury, that the reason that her ID last name does not match the last name on the registrar's list is because she has married or divorced, should be sufficient for us to be able to, to trust that, that that's a valid voter standing in front of a registrar asking f--to exercise their right to vote. And,

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as a consequence, I would respectfully ask that we vote no on the motion to table Floor Amendment Number 11.

PRESIDENT : Thank you, Senator Davis. Members, you've heard the motion by Senator Fraser to table. Senator Davis opposes. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams. Zaffirini.

PRESIDENT : (Gavel) There being 18 ayes and 12 nays, the motion to table prevails. (Gavel) Also, temporarily withdrawn, the Chair lays out Floor Amendment Number 15--

: (Inaudible, background conversation)
PRESIDENT : --also by Senator Davis. Th--the Secretary will read the amendment.

: (Inaudible, background conversation)
SECRETARY : Floor Amendment Number 15 by Davis, amending Senate Bill 14 by striking Section 12 of the bill and substituting a new Section 12.

PRESIDENT : The Chair recognizes Senator Davis on Floor Amendment 15.

DAVIS : Thank you, Mr. President. This amendment, as I said earlier, seeks to mirror the allowance for expired IDs as it exists in the Indiana law that was approved by the Supreme Court--

: (Inaudible, background conversation)
DAVIS : --in 2008. What it would allow would be for a Texan to use an expired government issued photo ID only if the photo ID expired after the la--the last general election. What it seeks to allow is for a person to have been put on notice when they've gone to vote that their state issued government ID has expired, give them a grace period to the next election to correct that, and be able to use it in the future. It would expand the period of time that an expired government ID could be used from that amendment that was accepted, that Senator Lucio presented earlier in the evening, which was a 60-day grace period to a grace period between general elections, essentially, which could be up to a 2-year period of time. Again, it does mirror that, that language in the Indiana law, and I would move approval of Floor Amendment Number 15.

PRESIDENT : (Hum.) The Chair recognizes S--Senator Fraser on Floor Amendment 15.

FRASER : Again, Senator Davis' explanation is correct. This was the one we talked about earlier. Since then, I accepted (a) (sic) amendment by Senator Lucio. Senat--Senator Lucio offered up an amendment that if someone's driver's license expired we would have a grace period of two months. So, if it had been expired two months, they still would

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be eligible to vote. This amendment is attempting to expand that where it could be up to two years, and we think the amendment accepted from Senator Lucio is sufficient. I would move to table Amendment 15.

: (Background noise)
 PRESIDENT : The Chair recognizes Senator Davis--
 DAVIS : Thank you, Mr. President.
 PRESIDENT : --to close.
 DAVIS : For the reason stated previously, I would respectfully ask that we vote against the motion to table Floor Amendment Number 15.

PRESIDENT : Thank you, Senator Davis. Members, the issue is a motion by Senator Fraser to table, opposed by Senator Davis. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell. Duncan. Ellis. Eltife. Estes. Fraser. Gallegos. Harris. Hegar. Hinojosa. Huffman. Jackson. Lucio. Nelson. Nichols. Ogden. Patrick. Rodriguez. Seliger. Shapiro. Van de Putte. Watson. Wentworth. West. Whitmire. Williams and Zaffirini.

PRESIDENT : (Gavel) There being 19 ayes and 11 nays, the motion to table prevails. (Gavel)

: (Inaudible) (amendment)--
 : (Inaudible, background conversation)
 PRESIDENT : Senator Davis withdraws Floor Amendment Number 6, replaces it with Floor Amendment Number 41--

DAVIS : Yes, Sir.

PRESIDENT : --which, which we're handing out as we speak. The Chair lays out Floor Amendment Number 41 by Senator Davis. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 41 by Davis.

PRESIDENT : The Chair recognizes Senator Davis to explain Floor Amendment 41.

DAVIS : Thank you, Mr. President. This reflects a slight change to what was presented earlier as Floor Amendment Number 6. After working with Senator Fraser and his staff, I do believe that the inclusion of the language, as you see handwritten into this Floor amendment, does improve upon the intent of the amendment, which is to create an opportunity for an election officer to allow a voter to vote where the name on the documentation doesn't exactly match that that's on the list of the registered voters, but is s--substantially similar. And where the v--voter submits an affidavit stating that he, he or she, is the person on that list of registered voters. I appreciate Senator Fraser working with me on making the improvement to this amendment, and with that, I would ask for adoption of Floor Amendment Number fif--41, excuse me.

: (Inaudible, background conversation)

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PRESIDENT : (Good.)
 : The Chair recognizes Senator Fraser
 on, on Floor Amendment 41.

FRASER : And, Members, I'm, I'm thinking this
 is the last amendment. So, this is, would be a, a good way to end the evening
 is that Senator Davis very gracefully worked with us. We had us a lus--ush--
 just a small discomfort in this and we asked her to insert this language just
 to clarify the intent. She agreed, and I think it improves the quality of the
 amendment, this is acceptable.

PRESIDENT : Members, the issue before us is the
 adoption of Floor Amendment Number 41 by Senator Davis, which is
 supported by Senator Fraser. The Secretary will call the roll.

SECRETARY : Birdwell. Carona. Davis. Deuell.
 Duncan. Ellis. Eltife. Estes. Fraser. Gallegos.

: (Gavel)

SECRETARY : Harris.

PRESIDENT : There being 30 ayes and no nays,
 Floor Amendment Number 41 is approved.

DAVIS : Thank you, Mr. President.

: (Gavel)

: (You ready to get out?)

: (Inaudible, background conversation)

PRESIDENT : Members, we've been asked by the s--
 staff, they've been here very patiently working since we gaveled in at about
 2:40 this afternoon. I--I'm gonna go ahead and s--

WHITMIRE : Need a motion.

: (Inaudible, background conversation)

: (Floor will)--

PRESIDENT : --y--you (wanna) stand at ease?

: --stand at ease.

: (Oh, yeah.)

PRESIDENT : I'm gonna suggest we stand at ease
 for--

: Fifteen, twenty minutes.

PRESIDENT : --15, 20 minutes, where we'll--

: (Inaudible, background conversation)

PRESIDENT : --we'll stand at ease until 7:45, which
 is in 20 minutes.

: (Inaudible, background conversation)

: (Gavel)

AT EASE

: (Inaudible, background conversation)

: (Background noise)

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: Aw.
 : Aw, that's (bad).
 : (Inaudible, background conversation)
 : (Hey) I don't think you've talked to
 (inaudible). They did a great job.
 : (Inaudible, background conversation)

SESSION RESUMES

PRESIDENT : (Gavel) Members, the Senate will
 come to order. The Senate will come to order. The Chair recognizes Senator
 Fraser.

: (Inaudible, background conversation)
 : (Long pause)

FRASER : Mr. President, I would now move
 passage of Senate Bill 14 to engrossment.

PRESIDENT : Members, Senator Fraser moves the
 passage to engrossment of Senate Bill 14. The Secretary will call roll.
 : (Inaudible) a second.

PRESIDENT : Excuse me. I didn't see. Senator Van
 de Putte. For what purpose (Ma'am)?

VAN DE PUTTE : To speak against the bill.
 : (Inaudible, background conversation)

PRESIDENT : You're recognized.

VAN DE PUTTE : Thank you, Mr. President. Mr.
 President, Members, Ch--Chairman Fraser, we've gone through a long
 process on this and I--I'll be brief in my comments. What you saw today, and
 the concerns of many who have proposed the amendment to this voter
 identification bill, was to lessen the burden and to reduce the barriers that
 would be imposed on many of the folks here in Texas with this. And, I just
 wanna share that what we saw was s--some ability, at least, to try to mitigate
 that. Let's hope it sticks, some of the amendments that were taken today,
 let's h--let's hope it sticks through the process. But I have to tell you that I
 am highly disappointed, because of several things, but mostly because I don't
 really feel that we took care of the people who do have the greatest burden.
 Most of us are very blessed to be on this Floor. We don't live in poverty. We
 don't have problems with transportation. And some of us, probably, have
 never had to have that really stark reality of where that next dollar's gonna
 come from. But I have to share with you that at a time in our life, as well,
 that my husband Pete and I had a very, very difficult time. In 1986, my
 husband became very ill and was hospitalized for several months, being
 hospitalized here and then to the Mayo Clinic. And, bein' a, a mom with a
 pharmacy and another little flag business and four small children, very
 quickly, we got behind, you know, w--almost losin' the car, in fact, havin' to
 give up one, trying to bargain with the mortgage company to, to hold back a

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little. And I got a second job, I had a day job and then a night job. And I tell you this because, before that time, the worst burden for me was unloadin' the groceries. I just despised the fact goin' to the groceries (sic), and with a big family and with grandparents living with us, that I would have to unload those groceries and walk from the car to the house, (from) the car to the house, and then put them up. It was a chore that I just hated to do. Well, in February of '86 that kinda changed and for the next year, I ('atta) (sic) tell you, I went to the groceries with about a twenty-dollar bill, every other day, 'cause the cash flow was really tough. It took us awhile to get back on our feet, but pridefully, I guess, we, we didn't ask our parents for help through that. No, we just thought we could do it on our own, ya know, that's kinda what most Texans try to do. They, they try to do what they can. And, so, the time came where Pete got better and, after several months, was actually allowed to drive a car, and then to try to get his business back into shape, but I still worked that second job for several years. But, that first time I got to go back to the grocery store--

: (Background noise)

VAN DE PUTTE : --and I got to get more than twenty dollars worth of stuff. And I got to load up, because, see, before that time I went to the grocery store and just wrote the check out, didn't even bother me, 'cause I knew we had enough money to cover for it. Well, when we got back on our feet and I got those groceries, on the way home, I pulled into the driveway, I just laid on the horn. I was beepin' the horn and screamin' for the kids to come out and help me. It was v--so joyous, it was so exciting, it was just, you cannot believe how wonderful it was to unload all these groceries, again. And, then it hit me how absolutely stupid I was. I never knew the joy of doin' somethin' that I thought was a burden before, 'cause I had never been in anybody's shoes. I had never been that poor. I had never been faced with transportation problems. And so, for those of us who hadn't had that, you know, it was the worst experience I had to ever go through in our life and it was the best experience I had to go through. They say that God never gives you anything you can't handle and we handled it. But it gave me a humility that I would've never experienced. And I think, ultimately led me to be a better mother, a better wife, a better business owner, and ultimately, hopefully, a better decision maker, here. My fear is that what we've done today, is that, although, we've helped slightly those folks who have that burden, we have placed so much on them, now, for just that basic right to vote. So, for us, we're blessed. But we must remember those that we represent and who live in this State, who, for them, that little bag of groceries is a constant. For them, the challenge of even getting anywhere, either in public transportation or in remote areas of this State, is constant. And, so, as we decide this framework of the most basic right, I am so sad, because in my heart, I feel that we have done a disservice to those who aren't as blessed as you and I. I'll vote no on this measure, because we can do a lot better.

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PRESIDENT : The Chair recognizes Senator Gallegos to speak against the bill.

GALLEGOS : Thank you, Mr. President. Members, we've heard hours of testimony on this issue and many of us on this Floor have been dealin' with the, the issue for, for years now, and we have heard many conflicting sides of the issue, on both sides. The bottom line is none of us want to condone voter fraud. I think we can all agree on that. And, but the larger issue, as I see it today, is that I, I cannot live with--

: (Inaudible, background conversation)

GALLEGOS : --voting for a bill that I believe will disenfranchise a large population of voters. Members, the right to vote, (clearing of throat), is the (moh--d) (sic) cherished right any American can have. And it is unfortunate that, today, by moving this overly stringent, unnecessary bill through this Chamber, we are takin' a step away from making sure that voting is fair and accessible to everyone. This bill does not serve to fix a problem. I've heard no testimony about any kind of voter fraud going on in my district, right now, that this bill would serve to eliminate. We have heard legitimate concerns from several of our colleagues on the Floor, and some of those who came to testify before the Committee. Concerns about whether the poor, elderly, disabled, and minority, many of the people that I represent, and a lot that y'all represent, Senator Duncan, in that they will be able to adapt to these restrictive provisions of this legislation without being disenfranchised. I share these concerns. And, yes, we've heard many hours of testimony on this bill over the last couple of days, and one re--really one witness that struck me, Members, was Jerry Bonnet, from the Indiana Secretary of State's office. Just before testifying that a bus full of nuns conspired to defraud the state's voting system, he noted that the sun came up after Indiana's voter ID law passed. Well, you know, I know that the sun will come up tomorrow after this bill passes through this Chamber. And I know that the Governor, who has wrongly declared this issue as an emergency, signs the bill into law and the sun will come up then too. But I also know that when the day comes, a lot of the folks that I represent, good, hardworking folks, will find it harder and some will find it impossible to make it to the polls and participate in this democratic process. So, no, the world won't end, but we sure won't have made any progress towards a more accessible democracy for the kind of people I represent. And, m--Senator Fraser, you know, I, I beg to differ with ya, the Department of Public Service (sic) is all in this bill, it's everywhere in your bill. And, and I, I think the amendments that my, some of my colleagues put out there should have been accepted, but they weren't. Especially on, on transportation, to try to get access. So we're gonna force these people to go get a photo ID, we at least should have access and transparency where they can go and get it without walking. Or like my grandfather did, he didn't, he didn't drive, my grandfather didn't drive, he had a bicycle, where he goes, you know, but if you look at the map that I, that, tha--that's a long bicycle ride, you know, to

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the edge of b--edge of the other side of town to get a photo ID. Now I come from a fire fighting background and I know the shortcuts. And I've looked at the map on where all the DPS centers are, and I know the back roads, and I know the shortcuts, and I know I can get, probably, to one of these centers. It'll take me every bit, even takin' the shortcuts, and I have a car, it'd take me about 45 minutes to get to the other side of town. But the people I represent, they don't know the shortcuts. They don't know the streets that I know. They don't know how to, how to avoid all them, all them red lights to get to the other side of town like I do, and that's who I'm really thinking about, the ones that don't know the shortcuts. The ones that don't have a car like I do. The ones that don't have the money, you know, to even get to the other side of town, like we do, here on this Floor. And those are the ones really, I believe, that are bein' disenfranchised today, and they're bein' left out (of) the loop. You know, like I said, Senator Fraser, DPS is all in this bill and this is the right time to talk about how to get there and what DPS's role is gonna be. And we just got a letter, Members, from, from the, the, the Secretary of State on the fiscal note that we talked about yesterday. You know, and that note, that note, that letter said that in the methodology there was two components to come up with in Missouri, in--in Missouri. This was the, the, the Missouri fiscal note that I was talking about yesterday. They're nineteenth in this country and we're number two. The fiscal note that they put over, they had two components, one for education and one to provide the free ID, and that came up to ten million dollars in two years, and, and the fiscal note that I saw, it shows two million. Now, they're p--you know, the only thing that I can really come up with is that their paper is more expensive in Missouri, 'cause we're talkin' about only 5.9 million people, not 25 million that we have here. So, obviously, you know, it's, may--maybe it's more expensive there, I don't know. But, but 5.9 million as opposed to 25 million, I don't get the math, and I really don't, really do not get the math. Now I was born at night but not last night, Senator Fraser. And I know exactly what the bill says, DPS is all in it, you should've accepted some of our amendments. And because I feel that my folks are not represented under this bill and they're denied access to the democracy where they d--deserve the right to vote, I will be voting no on this bill.

PRESIDENT : The Chair recognizes Senator Rodriguez to speak a--against the bill.

RODRIGUEZ : Thank you, Mr. President, I appreciate that. Members, as you know, I am the newest Member of this distinguished body. And, I came here, frankly, with a great deal of enthusiasm and with hopeful anticipation that we would have a very productive Session to resolve the critical issues that face our great State. And I do appreciate, very sincerely, the warmth and the cordiality and the tremendous welcome that I got by all of you, every single one of you a--as a new Member. I have, in fact, been very attentive throughout the consideration of this voter ID bill and I must say that I am baffled by the, by

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the proceeding. I am, in some ways, I guess, I should say I'm also frustrated, as Senator Davis pointed out yesterday, that there was a lot of frustration here in the room. I could feel it, and I certainly felt it myself. Now, I'm going home tomorrow with Senators Ogden and Senator Williams, to El Paso, so that we can review the Border security and Border violence that's takin' place in El Paso, and so, we have a very important meeting. But I know, I know that when I get there and face my constituents after that meeting, and then, also, meetings on, on Friday and Saturday, that I'm gonna be asked, by my constituents, questions, many questions, in fact, about the, the weeks, the liberations here. And I know they're gonna ask me, for example, why is this issue an emergency, especially in the face of the budget crisis. They're goin' to ask me is voter fraud a real problem in this State. They will ask why is this a prob--why is this problem takin' precedence over all the other problems that we are facing at this time. What's gonna happen to our schools, what's gonna happen to health care. How am I going to respond to my constituents on these questions? Now, as elected officials, isn't it our responsibility to increase participation in the democratic process. And I think some of my colleagues have very eloquently spoken to that issue. And I've been very impressed with the passion and the, and the commitment and sincere concern that they have, as I do, with this bill, and with a rejection of some of the amendments that were intended to, as was pointed out by my colleague, Senator Gallegos, to, and, and Senator Van de Putte, to open up the process some more for those who may face some barriers. I believe that, as elected officials, it is our responsibility to increase participation in the democratic process, not to decrease the participation. And I think we heard yesterday, but I'm gonna repeat it again, that in 2010 only 71 percent of the Texas voting age population was registered to vote, and, of that, only 38 percent cast a ballot in, in the, in the election. Back home in, in El Paso, in El Paso County, turnout was even lower with just 23 percent of registered voters, 66 percent of whom are Latino showing up at the polls, dismal turnout as far as I'm concerned. What will I say to those who ask me why, if less than a quarter of El Paso's, El Pasoans voted in the last election, are we in the Legislature so intent on making it more difficult for people to vote, at least in my opinion. How can I answer these questions honestly, sincerely, and with respect, both for my constituents and this body, the Senate. I ask you what, what your advice is to me on how to answer these questions. My fellow Senators, I cannot in good faith defend how we have, frankly, spent, you know, our time this week. I don't think I'm gonna be able to look people in a straight face and, and answer that back home. I will have to b--be compelled to draw distinctions between the majority and the minority of the Senate, and I believe I'm gonna have to say that the majority i--is s--responsible, it was the sponsor of this bill. And, I will have to candidly say that I didn't think that a lot of our concerns were heeded, that the pleas of the minority were not, were not heeded by the majority. I don't know how else to explain the rejection of many amendments that I thought were very sensible,

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reasonable efforts to try to mitigate whatever potential problems might be visited on those who want to cast a vote and participate in our democracy. I will have to say that on the major issues, such as this, the citizens represented by the minority have but a symbolic voice in this body, symbolic voice, because, I mean, we saw the vote pretty, pretty straightforward, down the line. I will have to say that on this issue, and I anticipate others coming down, and I think, Mr. President, you, you did in all fairness, point out to me when I first visited with you way back in July, that for the most part there and, and not just you, but every single Member of this body that I talked to, literally, assured me that we will be able to find consensus, and reach consensus in this body, 90, or even above, percent of the time, that we are not like Washington. But that there would be, I think, in all fairness, people pointed out to me, some issues like voter ID, redistricting, and, and perhaps others that are coming down the pike, I know the sanctuary cities for example, which is a critical and important issue in my community, is gonna be one of those. That these issues were going to be divisive and that we were just gonna have to deal with them. But, quite frankly, I have to, I have to tell you, I, I just was not prepared for the experience of the rigid positions that on both sides without there havin' seemed to have been some kind of genuine attempt to try to look at each one of these provisions in the bill and the amendments, and try to come to some resolution, some consensus about ensuring, above all, that people have the opportunity to, to vote and to, and to not have people's rights violated, as has been the history in this State over the years, and, as the professor, yesterday, educated us, reminded us about it. So, I, I feel that I'm gonna have to say to them that on these kinds of issues we are deeply divided in this State and that we will need to stay vigilant to protect the rights and interests of just the regular folk, the regular people in this State. Those people that have been alluded to by my colleagues are hardworking people that wanna participate, that need to participate in order to make our State a strong state. So, Members, I cannot, in good conscience, support this bill, and so, I feel compelled to vote against it. Thank you for your, for your time. Mr. President.

PRESIDENT : Chair recognizes Senator West to speak against the bill.

WEST : Thank you very much, Mr. President. Senator Rodriguez, make certain that you also tell our brothers and sisters in El Paso that elections have consequences, and these are the consequences, there's a manifestation of consequences of elections, that's what this is. Members, we have de--decided to place voter ID, even though it's an emergency item, at the top of our agenda, once again. We come into this Session with our school districts in financial trouble. We come into this Session with our counties, our cities in a financial crisis, and we put voter ID first. The majority has decided to do that. We come into this body, first thing I, now I understand we, we've had our political differences, we put on red jerseys and blue jerseys, the first, right out of the box. We talk about voter

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fraud, and I know that Senator Fraser has said that over and over again. But if you really did an analysis of it, the fraud is in absentee balloting, that's where it is. We've done nothing to address that. We've dealt with voter ID. You pretty much heard the same testimony that I heard as it relates to what the cost of this bill is. You heard through, through, through the representative from the Department of Public Safety, that they have not really been able to qualify exactly how much this is goin' to cost. My desk mate talked about the cards costin' a dollar and sixty-seven cents, but you also heard they have not been able to get to what the cost will be, because they really have no idea how many Texans will need these ID cards. They're gonna need some additional GR, general revenue, in order to fund this. You also heard, and if you still have your fiscal note, that there's goin' to be a cost on counties. And many of us have said there will be no unfunded mandates. (Laughter) The reality is, is that, right in the fiscal note, Bexar County will have to spend at least three hundred and eighty-one thousand dollars, that's just one county. Where do they get the money from? Are they gonna get it from the State? Some of you may say, okay, Senator, they may very well be able to use some of the federal funds. How do you know that all of those dollars that they say they're gonna have to spend will be federal funds? You know (when you're in the) b--in your (various) school districts that there's gonna be a layoff, in our school districts. But yet, and still, we couldn't pass an amendment to basically guarantee the people of the State of Texas that we will do everything in our power to make certain that we keep our teachers in the classroom, so they can provide the instructions necessary, in order to make certain that our children can compete. Now there'll be bills that talk about, this Session, increasing the student-teacher ratio. There'll be bills that d--will do that. But we decided, or it will be decided, that we could not support an amendment that would tell the citizens of the State of Texas that we will make certain that all of the general revenue that we can will be used not for implementing a voter ID bill, but first, makin' certain that we maintain the number of teachers in our classroom. We decided not to do that. We decided to make certain that we would not pass any unfunded mandates. I--I challenge us, as a body, and those of you that have decided that this is the direction that the State needs to go in, that as this bill goes through the process, that you take a very close look at whether or not there are any unfunded mandates that we're passing on. And whether or not we're gonna take general revenue--

: (Inaudible, background conversation)

WEST : --in order to support implementation of this particular bill that could otherwise be used to help fund the public schools in the State of Texas. Elections, Senator Rodriguez, have consequences, and these are the consequences of the elections. I hope and I pray, Members, that we take off our blue and red jerseys after tonight and take care of the business of the citizens of the State of Texas.

PRESIDENT : The Chair recognizes Senator Lucio to